

CONSTRUCTION
INTERGOVERNMENTAL AGREEMENT

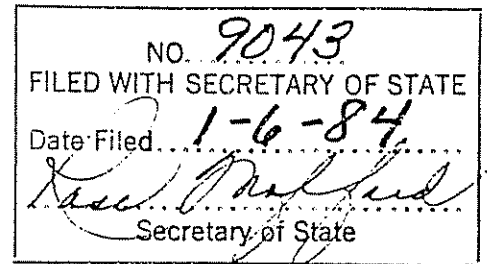
BETWEEN

THE STATE OF ARIZONA

AND

THE TOWN OF ORO VALLEY

Project #F-031-1-940



THIS AGREEMENT, entered into pursuant to Arizona Revised Statutes, Section 11-951 through 11-954, by and between the STATE OF ARIZONA, acting by and through the ARIZONA DEPARTMENT OF TRANSPORTATION, hereinafter called "STATE", and the TOWN OF ORO VALLEY, hereinafter called "TOWN",

WHEREAS, the STATE is empowered by Arizona Revised Statutes Section 28-108 to enter into this AGREEMENT, and the Director of the Arizona Department of Transportation has delegated to the undersigned his authorization to execute this agreement on behalf of the STATE,

WHEREAS, the TOWN is empowered by Arizona Revised Statutes Section 9-672 to enter into this AGREEMENT, and acting by and through its duly elected governing body, has by that certain resolution attached hereto and incorporated herein as Exhibit "A" resolved to enter into this AGREEMENT and has authorized the undersigned as its representative to execute the same on behalf of said TOWN, and

WHEREAS, for the safety and protection of the traveling public, it is necessary and desirable that certain improvements and/or modifications be made on the State Highway System in the TOWN. This work shall include but not be limited to the installation of new traffic signals on:

U. S. 89 at El Conquistador Way

1. The STATE shall advertise for bids and award a contract for the installation of the traffic signals on US 89 at El Conquistador Way.

2. The TOWN, upon completion of the work, shall reimburse the STATE for fifty percent (50%) of the final construction and engineering cost, not to exceed \$40,000 for its share of the cost of this work.

3. This AGREEMENT shall be considered as terminated when all conditions as set forth herein have been complied with and the traffic signals are complete, in place, and functional.

4. All parties are hereby put on notice that this AGREEMENT is subject to cancellation by the Governor pursuant to Arizona Revised Statutes Section 38-511.

5. This AGREEMENT shall be filed with the Secretary of State and shall become effective upon its being filed with the Secretary of State.

6. Attached to this AGREEMENT and incorporated herein by reference is Exhibit "B" which is a copy of the written determination of the appropriate attorney that the TOWN is authorized under the laws of this State to enter into this AGREEMENT and that it is in proper form.

STATE OF ARIZONA
ARIZONA DEPARTMENT OF TRANSPORTATION

By: [Signature]
Chief Deputy State Engineer

Date: Dec. 2, 1983

TOWN OF ORO VALLEY

By: [Signature]

Title: Mayor

Date: 11/18/83

Attest:

Kathryn E. Armstrong

Date: 11-18-83

APPROVAL OF THE TOWN ATTORNEY

I hereby state that I have reviewed the proposed intergovernmental agreement between the State of Arizona, Arizona Department of Transportation, and the Town of Oro Valley and declare the agreement to be in proper form and within the powers and authority granted under the laws of the State of Arizona.

DATED this 24th day of June, 19 83.

Town Attorney

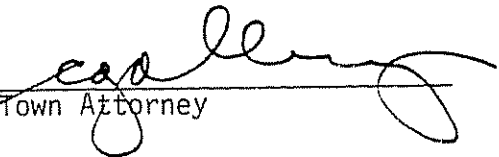
By: 
Town Attorney

EXHIBIT "B"

E S. "STEVE" ENGLE. *Mayor*
JAMES H. PETERSON. *Vice Mayor*
JAMES D. KRIEGH. *Councilman*
PAULINE R. JOHNSON. *Councilwoman*
LOIS M. LAMBERSON. *Councilwoman*



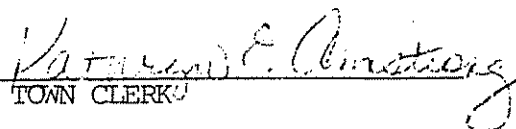
KATHRYN ARMSTRONG. *Town Clerk*
HENDERSON & OLLINGER. *Attorney*
DOOLEY-JONES & ASSOC. *Engineer*
ROYAL G. BOUSCHOR. *Magistrate*
WERNER S. WOLFF. *Chief of Police*

TOWN OF ORO VALLEY

680 W. Calle Concordia Oro Valley, Arizona 85704 Phone (602) 297-2591

"A motion was made by Councilman Kriegh authorizing Mayor Engle to enter into the Intergovernmental Agreement with the Chief Deputy State Engineer for the State of Arizona, Arizona Department of Transportation. The motion was seconded by Vice-Mayor Peterson and unanimously carried by a 5 - 0 vote."

I certify that this is a true excerpt taken from the Oro Valley Town Council Meeting of November 17, 1983. Dated this 22nd day of November, 1983.


TOWN CLERK



OFFICE OF THE
Attorney General
TRANSPORTATION DIVISION
1275 WEST WASHINGTON
PHOENIX, ARIZONA 85007
(602) 255-1680

ROBERT K. CORBIN
ATTORNEY GENERAL

INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A. G. Contract No. 83-732, which is an agreement between public agencies, has been reviewed pursuant to A.R.S. Sec. 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State or its agencies under the laws of the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 19th day of December, 1982³.

ROBERT K. CORBIN
Attorney General

David L. Hefner
Assistant Attorney General
Transportation Division